

43. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
Michaud OF Maine, OR HIS
DESIGNEE, DEBATABLE FOR 20 MINUTES:

AMENDMENT TO H.R. 1585, AS REPORTED**OFFERED BY MR. MICHAUD OF MAINE, Tim Ryan,****James Langevin, Susan Davis, Loretta Sanchez, Jane Harman, Chris Shays,**
At the end of title VII, add the following new section

(and conform the table of contents accordingly):

1 **SEC. 713. REQUIREMENT TO MAKE AVAILABLE EMERGENCY**
2 **CONTRACEPTION AT ALL MILITARY HEALTH**
3 **CARE TREATMENT FACILITIES.**

4 Section 1074g(a) of title 10, United States Code, is
5 amended by adding at the end the following new para-
6 graph:

7 “(9)(A) Emergency contraception shall be included
8 on the basic core formulary of the uniform formulary, not-
9 withstanding any provision of law or regulation requiring
10 that only drugs ordered or prescribed by a physician (or
11 other authorized provider) may be included in the uniform
12 formulary.

13 “(B) Nothing in subparagraph (A) may be construed
14 to require emergency contraception to be covered under
15 the pharmacy benefits program.

16 “(C) Notwithstanding paragraph (4), prior author-
17 ization shall not be required for emergency contraception.
18 Nothing in the preceding sentence may be construed as
19 waiving any provision of the Federal Food, Drug, and Cos-

1 metic Act (21 U.S.C. 301 et seq.) or any other provision
2 of law administered by the Food and Drug Administra-
3 tion, including rules and orders of such Administration in
4 effect at any time under such Act or other provisions of
5 law.

6 “(D) In this paragraph, the term ‘emergency contra-
7 ception’ means a drug, drug regimen, or device that is—

8 “(i) approved by the Food and Drug Adminis-
9 tration to prevent pregnancy; and

10 “(ii) used postcoitally.”.